

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY Ry D.C.

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DANNY L. DEATON,

Plaintiff,

VS.

CASE NO. 99-CV-2815-B

LIEUTENANT CORNELL DYE,
OFFICER JOSEPH N. JOHNSON,
OFFICER MICHAEL SPEARMAN,
and OFFICER KAM WONG,

Defendants.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

JUDGMENT ON JURY VERDICT

This action came on for trial before the Court and jury, the Honorable J. Daniel Breen, United States District Judge, presiding, and the issues having been duly tried and the jury having duly rendered its verdict on July 21, 2005.

At the conclusion of the Plaintiff's proof, the Court dismissed the following claims against these defendants:

Claims Dismissed as to Michael Spearman: Excessive Force and Unlawful Search/Arrest under the 4th Amendment; Trespass; False Arrest/Imprisonment; Assault/Battery; Outrageous Conduct.

Claims Dismissed as to Lt. Cornell Dye: Excessive Force and Unlawful Search/Arrest under the 4th Amendment; Trespass; False Arrest/Imprisonment; Assault/Battery; Outrageous Conduct.

Claims Dismissed as to Kam Wong: Excessive Force under the 4th Amendment; Assault/Battery.

Additionally, the Plaintiff withdrew the following claims as to these defendants:

Claims Withdrawn as to Michael Spearman: Conspiracy; Libel; Intentional Misrepresentation.

Claims Withdrawn as to Lt. Cornell Dye: Conspiracy; Libel; Intentional Misrepresentation.

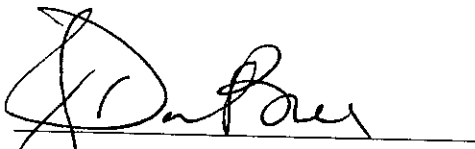
Claims Withdrawn as to Kam Wong: Trespass; False Arrest/Imprisonment; Conspiracy; Libel; Intentional Misrepresentation.

Claims Withdrawn as to Joseph Johnson: Conspiracy; Libel; Intentional Misrepresentation.

On the remaining claims against the defendants, the jury found as follows:
as to the 14th Amendment Medical Needs claim, the jury found in favor of the defendant, Michael Spearman;
as to the 14th Amendment Medical Needs claim, the jury found in favor of the defendant, Lt. Cornell Dye;
as to the 14th Amendment Medical Needs claim, and the Outrageous Conduct claim, the jury found in favor of the defendant, Kam Wong. The jury found for the plaintiff on the illegal Search/Arrest under the 4th Amendment claim and assessed \$10,000 in compensatory damages against defendant Kam Wong;
as to the 14th Amendment Medical Needs claim, the jury found in favor of the defendant, Joseph Johnson. The jury found in favor of the plaintiff on the illegal Search/Arrest under the 4th Amendment claim and assessed \$10,000 in compensatory damages against defendant Joseph Johnson. The jury was unable to reach a unanimous verdict as to the claims of Assault/Battery, Outrageous Conduct and punitive damages, as to defendant, Joseph Johnson. Therefore as to these claims against defendant, Johnson, the Court declared a mistrial.

It is hereby **ORDERED AND ADJUDGED** that based upon the verdict of the jury, plaintiff Danny L. Deaton is to recover damages of \$10,000.00 from defendant, Kam Wong and \$10,000.00 from defendant, Joseph Johnson. The plaintiff is to recover nothing from the defendants Michael Spearman and Lt. Cornell Dye.

APPROVED:


J. DANIEL BREEN

UNITED STATES DISTRICT JUDGE

Dated at Memphis, Tennessee, this 29th day of July, 2005.

CLERK OF THE COURT

(By) Deputy Clerk



Notice of Distribution

This notice confirms a copy of the document docketed as number 195 in case 2:99-CV-02815 was distributed by fax, mail, or direct printing on August 3, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT